



THE IMPORTANCE OF THE HOTLINE IN THE DELIVERY OF LEGAL SERVICES

by Wayne Moore¹



To fully understand the role and importance of the legal hotline in the delivery of legal services, one needs to look at the big picture—what I call the road to 100% access. Ken Smith, Martha Bergmark, and I recently wrote an article that appeared in the November 2002 issue of the *MIE Journal*

about the three key components for achieving 100% access, namely: (1) state planning (2) diversified fundraising and (3) productive delivery systems.

State planning ensures that our resources are used effectively, and overlap and duplication among existing providers is minimized. Careful planning allows a state to stretch its limited resources to serve more people. A misallocation of resources can limit access almost as much as too few resources.

One of the positive results of our troubled history of federal funding has been the diversification of our funding. The aforementioned article sets a “four by four” fundraising goal: 25% federal funding, 25% state government funding, 25% private bar funding (law firms, IOLTA, bar foundations), and 25% local community funding (city and county government, United Way, foundations).

The final component is efficient delivery systems. In the past decade, there has been an explosion of innovation in delivery systems, often sparked by new technology. We are evolving toward a new concept in delivery, namely to divide our programs into separate units that are designed to efficiently resolve different portions of our caseloads. The goal is to match every client with the unit that can effectively resolve his or her problem at the lowest cost. Thus, regardless of how a client comes in contact with a program, the first step is always to connect the client with the least expensive delivery unit that will do the job.

This is why the hotline is so important. It is designed to efficiently provide advice, referrals and some brief services at a high level of quality. It has proven to be able to close about 60% of a program’s caseload. In a well-run hotline, a full-time equivalent (FTE) hotline advocate can close between 1500 and 2000 cases per year and screen another 600 cases annually for referral to other units within the program. The hotline should have several built-in features to ensure quality: (1) careful notetaking by the hotline advocates which is reviewed by a supervisory attorney; (2) hotline advocate access to quick-reference, legal resources; (3) follow-up letters to the client to reiterate the telephone advice; and (4) matching the client’s problem with the expertise of the hotline advocates. Since hotline advocates spend most of their time providing these services, they become very good at it. Providing clear, helpful advice that the client can understand is a skill that improves with experience.

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The hotline’s efficiency is derived from several sources. First, merely shifting from a face-to-face conversation to a telephone conversation can cut the time by 50% to 84%, since the advocate can get to the point quicker and better guide the conversation. Another cost savings results from serving the client upon his or her initial contact with the program, thereby eliminating all intermittent steps (e.g., scheduling appointments, one-on-one interviews with staff who do not provide the

ultimate service). It also eliminates “no-shows” which waste intake resources.

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To realize the full potential of hotlines, programs must closely attend to both quality and productivity. An irony of the history of hotlines is that they were criticized as being substandard service. But once adopted, programs were often quick to replace experienced hotline attorneys with inexperienced attorneys, paralegals and law students as a cost-cutting measure. Yet, this can result in a significant drop in quality without much cost savings as non-lawyers and less experienced lawyers usually take longer to deliver the service and require more supervision. Another concern is that programs fail to monitor and maintain the efficiency of the hotlines. While in a well-run hotline a FTE advocate can close between 1500 and 2000 cases annually, in some hotlines this drops to only 500 cases annually.² One way of ensuring productivity is to measure the percentage of time that hotline advocates spend talking to clients. This can be as little as 10 minutes out of every hour. Since time spent with the client is the essence of the service, it is hard to justify these low percentages. But tasks such as entering notes into the computer, calling back clients who are not home, reviewing old case files of a client before calling them back, etc., can quickly fill up an advocate's time if this is not monitored closely. Programs must return calls the same day and usually within one or two hours if they want to minimize unsuccessful call backs. The likelihood of contacting the client during a call back drops significantly after an hour or two and dramatically after a day has passed.

If a program adopts a policy of matching clients with the least expensive, most effective delivery unit,

processes must be in place to detect and reroute misplaced clients. We have developed an inexpensive mechanism for doing this with hotline clients. Hotline advocates are asked to flag those clients who must follow the advocates' advice in order to avoid an adverse consequence or rectify a significant problem. These flagged cases are followed-up by non-attorney volunteers recruited by the program. The volunteers call the client on the date designated by the hotline advocate to obtain a status check. Clients who have not followed the advice are prompted to do so, and then re-contacted later by the volunteers. Clients who still have not acted are referred to a supervising attorney to determine if the client should be referred to a different delivery unit in the program.

The efficiency of the hotline methodology allows us to come much closer to our goal of 100% access without sacrificing quality.

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2 Using contract attorneys supervised by a managing attorney, we have been able to reach levels of 11,000 closed cases annually per FTE advocate by only paying for the time the attorney is talking to the client plus 3 minutes for notetaking. Calls have averaged seven minutes (plus three minutes notetaking) yielding an average of 10 minutes a call. This results in six calls per paid hour.